

## PART D RULE 5 - OVERVIEW AND SCRUTINY PROCEDURE RULES

Call-in should only be used in exceptional circumstances. These are where members of the appropriate scrutiny panels have evidence which suggest that the cabinet or decision maker did not take the decision in accordance with the principles set out in Article 13 of the Constitution. (Call-in is of a decision made, but not yet implemented).

- (a) When decisions are made by the cabinet, an individual member of the cabinet or a committee of the cabinet, or a key decision is made by an officer under delegated authority (or under joint arrangements), those decisions shall be published, including wherever possible by electronic means, and shall be available at the main offices of the council normally within two working days of being made.
- (b) Chairmen and vice-chairmen of all scrutiny panels will also be sent copies of the records of all such decisions within the same timescale by the person responsible for publishing the decision, i.e. the proper officer of the council or his representative.
- (c) On publication of decisions in accordance with the council's executive arrangements, those decisions which can be subject to call-in as detailed in paragraph D5.22 (a) will come into force and may then be implemented on the expiry of two working days after publication, unless a scrutiny panel objects to a particular decision and calls it in.
- (d) During the period referred to in (c) above, the Director: Governance and Partnerships shall call in a decision for scrutiny by the relevant scrutiny panel if so requested by the chairman or any two members of any scrutiny panel, and shall then notify the decision taker of the calling in of a particular decision. The request shall also give clear reasons why the decision has been called in. (A proforma is available electronically from the Service Manager: Democracy).
- (e) Where a decision has been called in, any action to implement that decision will be suspended until it may be made in accordance with the following provisions of this procedure rule.
- (f) In consultation with the chairman of the relevant scrutiny panel, the Director: Governance and Partnerships shall call a meeting of that panel on such a date and at such time to be determined within five working days of the decision to call-in. The relevant cabinet member (together with the Chief Executive and/or Director(s)) shall be requested to be available to attend the meeting in order to respond to any questions from the panel on or relevant to the decision.
  - An agenda for the meeting to consider the called in decision will be sent to members of the scrutiny panel with a copy of the request for call-in, a copy of the decision and a copy of the report on which the decision was based.

- At the meeting of the panel the chairman or a nominee of the members who have requested the call-in, shall be required to present the reasons why the decision has been called in and initiate any questioning of the relevant cabinet member(s), together with the Chief Executive and/or Director(s), on or relevant to the decision.
  - The chairman shall then invite other members of the panel to ask the relevant cabinet member (together with the Chief Executive and/or Director(s) any further questions on or relevant to the decision.
  - The panel will then consider whether it has sufficient material before it on which to decide the next course of action i.e. to take no further action on the decision, refer it back to the decision maker for reconsideration or (in limited circumstances) to refer it to the council (see paragraphs (g) - (m) below).
  - If the panel decides that it needs further information and/or the attendance of particular persons in order to reach a decision it shall arrange a further meeting to enable the information and/or persons to be available.
  - The decision will remain suspended until the scrutiny process has been completed and one of the outcomes set out in paragraph (g) has been achieved.
- (g) If, having considered the decision, the relevant scrutiny panel is still concerned about it, then it may -
- (i) recommend (with any representations), that the decision be reconsidered by the body or person that made it, or
  - (ii) arrange for the full council to consider the decision and, where necessary, ask the executive or decision maker to reconsider it.
- If the decision is referred back to the decision maker or decision making body, that decision should be reconsidered within a further five working days.
- (h) Where the decision maker or decision making body reconsiders the decision it could -
- (i) confirm the original decision, or
  - (ii) agree to change that decision having considered the representations made by the scrutiny panel.
- (i) If, following an objection to a particular decision, the panel does not meet, or does meet but does not refer the matter back to the decision

making person or body, that decision shall take effect on the date of the scrutiny meeting, or the expiry of that further five working day period referred to in paragraph (f) above, whichever is the earlier.

- (j) The relevant scrutiny panel may exercise its power in section 21(3)(b) of the Local Government Act 2000 to refer a matter to the council only if the panel considers that the decision is contrary to the policy framework or contrary to, or not wholly in accordance with the budget.
- (k) If a matter is referred to the full council in accordance with paragraph (j) above, the Director: Governance and Partnerships in consultation with the Mayor shall call an extraordinary meeting of the council within seven working days.
- (l) If the council does not object to a decision which has been made, then no further action is necessary and the decision will become effective on the date of that council meeting. However, if the council does object it has no power to make decisions in respect of an executive decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget. Unless that is the case, the council will refer any decision to which it objects back to the decision making person or body, together with its views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the cabinet as a whole or a panel of it, a meeting will be convened to reconsider that decision within five working days of the council request. Where the decision was taken by an individual cabinet member, that individual should reconsider the decision within five working days of the council request.
- (m) If the council does not meet, or if it does but does not refer the decision back to the decision making person or body, that decision will become effective on the date of the council meeting or expiry of the period in which the council meeting should have been called, whichever is the earlier.
- (n) The call-in procedure set out above shall not apply where the decision being taken by the Executive is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the council's or the public's interests. The record of the decision, and notice by which it is made public shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. In the case of a key decision the provisions of Part D Rule 2.17 must be observed before the decision is taken. Such key decisions taken as a matter of urgency must be reported in accordance with Part D Rule 2.18 (2).
- (o) The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to council with proposals for review if necessary.

- (p) In order to ensure that call-in is not abused, nor causes unreasonable delay, but at the same time to ensure that there is an appropriate balance between effectively holding the Executive to account, being able to question decisions before they are implemented and allowing effective and efficient decision making by the Executive within the policy framework and budget agreed by the council, the following limitations have been placed on its use -
- (i) Call-in of any Executive decision must be within two working days of the publication of a decision.
  - (ii) The chairman or any two members of any overview and scrutiny panel are needed for a decision to be called in.
  - (iii) Overview and scrutiny panels may call-in fifteen Executive decisions in total in the twelve month period, annual meeting to annual meeting.

(An illustrated version of the 'Call-in' procedure is set out for ease of reference in Table two at the end of these procedure rules).

-----<

**Table Two**

**'CALL IN' OF DECISIONS  
MADE BUT NOT IMPLEMENTED (AND NOT URGENT)**

**PUBLICATION OF EXECUTIVE DECISION**  
(within 2 working days of it being made)  
- 'CALL IN' of any Executive decision must be within 2 working days of the date of publication by the chairman or any 2 members of any Scrutiny Panel. Decision maker to be notified.

15 Executive Decisions in total may be 'called-in' in the twelve month period annual meeting to annual meeting.

Meeting of the relevant scrutiny panel to be arranged within 5 working days of the notice to 'call in' the decision.

**Action 1**  
If the scrutiny panel does not meet or does, but does not refer the decision to Council \* or back to the decision maker then the decision will take effect on the date of the Panel meeting or expiry of the 5<sup>th</sup> day whichever is the earliest  
(or)

**Action 2**  
Decision referred to Council \* if considered to be contrary to the policy framework or contrary to or not wholly consistent with the council's budget.  
If so, an extraordinary meeting of the Council to be called within 7 working days  
(or)

**Action 3**  
Decision referred back to the decision maker and must be re-considered within 5 working days and either  
(i) confirms the original decision  
(ii) agrees to change the decision having considered the representations made by the Scrutiny Panel.



**Action A**

If the Council does not object to the decision then no further action is necessary and the decision will become effective on the date of the council meeting or if it does not meet on the expiry of the 7<sup>th</sup> day whichever is the earliest

**Action B**

If the Council does object to the decision, (it has no power to make a decision on an executive decision unless it is contrary to the policy framework or not wholly consistent with the budget) - the council will refer it back to the decision maker with its views. A meeting must then be held on the decision within 5 working days and can either choose to amend the decision or not before reaching a final decision and implementing it.



www.northlincs.gov.uk

THE DIRECTOR GOVERNANCE AND PARTNERSHIPS IS REQUESTED TO **CALL-IN** A

DECISION OF **Environment and Strategic Planning Cabinet Member**

TAKEN ON **6 April 2021**

TITLE OF REPORT **NORTH LINCOLNSHIRE LOCAL DEVELOPMENT SCHEME REVISED  
FEBRUARY 2021**

MINUTE REFERENCE **6**

REPORT REFERENCE **6**

CALL-IN REQUESTED BY *(See Note 1)* **Councillor Tony Gosling**

Chairman or any two Members of any Overview and Scrutiny Panel

*Name*

*Signature*

**Councillor Tony Gosling**

**Councillor Lorraine Yeadon**

DATE **7 April 2021**

Outline reasons for seeking a review of the decision and proposed alternative course of action.

- **We seek clarification and an explanation regarding the timeframe referred to in the report.**
- **Further delay risks significant implications to any cohesive plan for development within North Lincolnshire regarding planning and its impact on residents within North Lincolnshire.**
- **Any further delays have the potential for risk in terms of over development, poor infrastructure and a lack of confidence in some communities.**

Is the decision considered to be contrary to the policy framework or contrary to, or not wholly in accordance with the budget?

- **Potential delays on an up-to-date Local Development Scheme runs the risk of having severe consequences on the policy framework of North Lincolnshire Council.**

<p><i>Please return to:-</i></p> <p><i>The Director Governance &amp; Partnerships FAO Head of Democratic Services Civic Centre Scunthorpe DN16 1AB</i></p>	<p><i>Received:</i></p> <p><i>Copies to:-</i></p>
--	---

pto

**Note 1** – A decision made by the Cabinet, an individual member of the Cabinet or a committee of the Cabinet or a key decision made by an officer under delegated authority from the Cabinet or an area committee or under joint arrangements once published can be called-in by the Director Governance and Partnerships at the request of the Chairman or any two members of an appropriate Scrutiny Panel.

**Note 2** – This form must be returned by 5.00 pm (4.30 pm on Friday) on the second working day after the publication of the decision (see below)

## CALL-IN

### Example timetable is as follows

<i>EXECUTIVE MEETING</i>		<i>PUBLICATION OF EXECUTIVE DECISIONS*</i>		<i>SCRUTINY CALL-IN DEADLINE*</i>		<i>SCRUTINY PANEL TO MEET AND DECISION DEADLINE*</i>
Monday	Π	Wednesday	Π	Friday	Π	Friday
Tuesday	Π	Thursday	Π	Monday	Π	Monday
Wednesday	Π	Friday	Π	Tuesday	Π	Tuesday
Thursday	Π	Monday	Π	Wednesday	Π	Wednesday
Friday	Π	Tuesday	Π	Thursday	Π	Thursday

*\*The above days do not include bank and other holidays*

**NORTH LINCOLNSHIRE COUNCIL**

**ENVIRONMENT AND  
STRATEGIC PLANNING  
CABINET MEMBER**

**NORTH LINCOLNSHIRE LOCAL DEVELOPMENT SCHEME  
REVISED FEBRUARY 2021**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To seek approval for the timetable set out in the revision of the Local Development Scheme (February 2021).

**2. BACKGROUND INFORMATION**

- 2.1 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended), requires North Lincolnshire Council to prepare a timetable, formally known as the Local Development Scheme (LDS), setting the documents that will make up the Local Plan and the key dates (or milestones) for its preparation. These include public consultation periods, submission to the Government for independent examination, the examination itself and adoption. The LDS also covers the preparation of the Community Infrastructure Levy (CIL) and Statement of Community Involvement (SCI). The LDS is included as Appendix 1 to this report.
- 2.2 The LDS must be made publicly available and kept up to date. Progress in meeting these key dates will be assessed in the Authority Monitoring Report, which is produced annually.
- 2.3 The documents that the LDS states will be produced are:
- North Lincolnshire Local Plan (2017 to 2038)
  - Community Infrastructure Levy (CIL); and
  - Statement of Community Involvement (SCI).
- 2.4 North Lincolnshire Council is seeking to develop a new Local Plan covering the period 2017 to 2038. The Government is clear in the recently published National Planning Policy Framework, Housing White Paper and Written Ministerial Statement that local planning authorities should bring forward up to date local

plans without delay. Without an up to date local plan the council will not be able to defend controversial planning applications and maintain a five year land supply of housing sites. Bringing forward the new plan will assist in delivering a five year land supply for North Lincolnshire.

2.5 The main amendments to the existing LDS was approved by Cabinet Member in March 2016 and November 2017, the Statement of Community involvement has been adopted and therefore the LDS requires amendment to reflect this situation.

2.6 Regulations require that the Council specify a date that the LDS will come into effect. It is proposed that the effective date for the new LDS is February 2021.

### **3 OPTIONS FOR CONSIDERATION**

3.1 Option 1 - Approve the revised LDS and publish it on the council's website.

3.2 Option 2 – Do not approve the revised LDS and do not publish it on the council's website.

### **4 ANALYSIS OF OPTIONS**

4.1 Option 1 is the preferred option. This will ensure the Council meets the legislative requirements of the 2004 Act (as amended). Publishing the revised LDS will give local communities and others with details of when they can get involved in the Local Plan's preparation through public consultation.

4.2 Option 2 would result in the Council not meeting legislative requirements highlighted in paragraph 2.2 (above). Furthermore, it would not give local communities and others details of when they can get involved in the Local Plan's preparation through public consultation.

### **5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS)**

5.1 There are no direct resource implications to highlight. Existing resources are available to support the work required to develop the North Lincolnshire Local Plan (2017 to 2038) and other documents.

### **6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)**

6.1 The LDS has been drafted in accordance with the council's priorities as set out in the Council Plan and assessed against other relevant implications.

### **7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)**

7.1 An IIA for the LDS was undertaken and no issues of concern were apparent.

## **8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTEREST DECLARED**

8.1 An initial (Regulation 18) consultation took place between February and March 2017 and Issues & Options consultation took place between February and March 2018. Further public consultation will take place at various stages during the preparation of the Local Plan in accordance with the requirements of the Town & Country Planning (Local Planning) (England) Regulations 2012. These dates are identified in the revised LDS.

## **9. RECOMMENDATIONS**

9.1 That the Cabinet Member:

- a) Resolves to bring the timetable for the revised Local Development Scheme (February 2021) into effect as from the date of decision.
- b) That the Local Development Scheme be published on the council website.

DIRECTOR OF BUSINESS DEVELOPMENT

Church Square House  
High Street  
SCUNTHORPE  
North Lincolnshire  
DN15 6NL  
Author: David Boreham  
Date: 23 February 2021

### **Background papers used in the preparation of this report**

- Planning & Compulsory Purchase Act 2004 (as amended)
- Town & Country Planning (Local Planning) (England) Regulations 2012



# NORTH LINCOLNSHIRE LOCAL PLAN (2020 TO 2038) LOCAL DEVELOPMENT SCHEME

October 2020

## Contents

Chapter	Title	Page
<b>1</b>	<b>Introduction</b>	<b>3</b>
<b>2</b>	<b>Context</b>	<b>3</b>
<b>3</b>	<b>Current Development Plan For North Lincolnshire</b>	<b>4</b>
<b>4</b>	<b>North Lincolnshire Local Plan (2020 to 2038)</b>	<b>4</b>
<b>5</b>	<b>Other Documents</b>	<b>5</b>
<b>6</b>	<b>Risk Assessment</b>	<b>6</b>
<b>7</b>	<b>Monitoring &amp; Review</b>	<b>8</b>
<b>8</b>	<b>Project Management &amp; Resources</b>	<b>8</b>
<b>9</b>	<b>Further Information</b>	<b>8</b>
<b>Appendix 1</b>	<b>North Lincolnshire Local Plan (2020 To 2038) - Documents To Be Prepared</b>	<b>9</b>
<b>Appendix 2</b>	<b>North Lincolnshire Local Plan (2020 To 2038) - Timetable</b>	<b>12</b>

## 1. INTRODUCTION

### WHAT IS A LOCAL PLAN?

- 1.1 The law requires local planning authorities to prepare a development plan for their area. They are the main tool against which decisions on planning applications are made unless other material considerations dictate otherwise.
- 1.2 Local Plans are required to address the spatial implications of economic, social and environmental change, and should set out the opportunities for development and clear policies on what will or will not be permitted and where. They should be based on meaningful engagement and collaboration with neighbourhoods, local organisations and businesses in order to reflect a collective vision and set of agreed priorities for the sustainable development of the area.
- 1.3 Following changes in legislation and the introduction of the [Revised National Planning Policy Framework](#) (including the presumption in favour of sustainable development) in February 2019, Government has signalled a move away from the Local Development Framework system towards the production of single “Local Plans”. Producing separate documents is now considered to be an exception rather than the norm. It is considered highly desirable that local planning authorities should have an up-to-date plan in place.

### THE LOCAL DEVELOPMENT SCHEME

- 1.4 The [Planning and Compulsory Purchase Act 2004](#) (as amended by the [Localism Act 2011](#)) (the 2004 Act) requires local planning authorities to prepare a Local Development Scheme (LDS) to set out what Local Plan related documents they intend to prepare and a timetable for their production and consultation in the period **2020 to 2022**.
- 1.5 It acts as a management tool for the plan-making process but is not subject to Independent Examination or formal public consultation.
- 1.6 The first LDS was adopted in 2006 and has since been subject to a number of previous reviews. This LDS is the latest version and reflects the change in the council's policy direction from a Local Development Framework to a single Local Plan; takes account of changing legislation and sets out a timetable for producing Local Plan documents. This LDS replaces all previous versions and will be published on the council's website.

### PROGRESS TO DATE

- 1.7 Since the publication of the first LDS, the council have made good progress in preparing and adopting a number of the documents that make up the North Lincolnshire Local Development Framework. This includes three statutory Development Plan Documents (DPDs) – the Core Strategy DPD (June 2011); the Housing & Employment Land Allocations DPD (March 2016); and the Lincolnshire Lakes Area Action Plan (May 2016). Four other documents, known as Supplementary Planning Documents (SPDs), have also been adopted – Planning for Renewable Energy Development (November 2011), Planning for Solar Photovoltaic Development (January 2016), Planning for Health & Wellbeing (November 2016) and Lincolnshire Lakes Strategic Design Guide (November 2016).

## 2. CONTEXT

### THE PLANNING SYSTEM

- 2.1 The [2004 Act](#) introduced the Local Development Frameworks (LDF) system. This is a portfolio of documents that makes up the development plan for the council area. It comprised Development Plan Documents (DPD), Supplementary Planning Documents (SPD) and the Statement of Community Involvement (SCI).
- 2.2 The Council has adopted a number of the documents that make up the North Lincolnshire Local Development Framework. This includes three statutory Development Plan Documents (DPDs):
  - [Core Strategy DPD \(June 2011\)](#)
  - [Housing & Employment Land Allocations DPD \(March 2016\)](#); and
  - [Lincolnshire Lakes Area Action Plan \(May 2016\)](#).
- 2.3 The [Localism Act 2011](#) and the [Revised National Planning Policy Framework \(NPPF\)](#) 2019 changed the national planning system and the way in which plans are prepared. Some of these changes include:
  - the revocation of Regional Spatial Strategies
  - the replacement of previous individual topic-based national Guidance and Policy Statements with the [National Planning Policy Framework \(NPPF\)](#) and the [on-line Planning Practice Guidance \(PPG\)](#)
  - the introduction of neighbourhood planning

- a duty to co-operate with neighbouring authorities
- the production of new style Local Plans.

2.4 In this new system, single Local Plans have replaced Local Development Frameworks (LDFs) which contained a number of development plan documents. These new style plans still have to be prepared in line with national planning policy, set out a vision for future development, allocate land for development and protection and provide a policy framework for the determination of planning applications.

### 3. CURRENT DEVELOPMENT PLAN FOR NORTH LINCOLNSHIRE

3.1 The statutory development plan for North Lincolnshire currently consists of:

- [Local Development Framework - Core Strategy DPD](#): This document, which was adopted in June 2011, sets out the long-term vision for North Lincolnshire and provides a blueprint for managing growth and development in the area up to 2026.
- [Local Development Framework - Housing & Employment Land Allocations DPD](#): This document sets out site allocations for future housing development and where new employment opportunities will be located. It also defines town and district shopping centre boundaries to show where future retail development should take place and settlement development limits. It was adopted in March 2016.
- [Local Development Framework - Lincolnshire Lakes Area Action Plan](#): This document sets out the planning policy framework to deliver the Lincolnshire Lakes development in a consistent and properly planned way. This transformational regeneration project will create a number of high quality, sustainable village communities on land between the western edge of Scunthorpe and the River Trent, set within an attractive waterside environment with major opportunities for leisure, sport and recreation. It was adopted in May 2016.
- [Saved policies of the North Lincolnshire Local Plan \(NLLP\)](#): The NLLP was adopted in May 2003. The majority of its policies are still “saved”; although a number of have been replaced by the Core Strategy and Housing & Employment Land Allocations DPDs. These policies were saved by the Direction of the Secretary of State dated 17th September 2007. Details can be found on the Local Plan webpage. The NLLP Proposals Map still forms part of the statutory development plan.
- [Supplementary Planning Guidance & Supplementary Planning Documents](#): The NLLP, Core Strategy DPD and Lincolnshire Lakes AAP are supported by a number of SPG/SPDs. These amplify a number of policies within each document by providing detailed policy guidance to assist developers and decision makers.

### 4. NORTH LINCOLNSHIRE LOCAL PLAN (2020 to 2038)

#### BACKGROUND

- 4.1 Reflecting the changes described in paragraphs 2.3 and 2.4 (above), North Lincolnshire Council is progressing with the preparation of a single Local Plan document for its area. When finally adopted, it will replace the planning policy documents set out in paragraph 3.1 (above).
- 4.2 The new North Lincolnshire Local Plan will set out the amount and distribution of new development (the Spatial Strategy) providing a comprehensive and long-term planning framework for the area over the period up to 2038. It will also include planning policies for the determination of planning applications. A single Policies Map will define geographically the development proposals and have notations to allow for the application of planning policies. The timetable for its preparation is set out in Appendix 2.
- 4.3 The process of preparing the new Local Plan will enable on-going public consultation and engagement on a wide range of planning issues to take place. This will be undertaken alongside the council's Duty to Co-operate activities with the specific prescribed bodies, such as neighbouring Local Authorities.
- 4.4 The new Local Plan will be supported by a wide-ranging evidence base. This will include a full assessment of housing needs, an assessment of employment land requirements and a sustainable settlement survey, amongst others.
- 4.5 The new North Lincolnshire Local Plan will include the following:

- Vision and Objectives
- Spatial Strategy and Strategic Policies
- Site Specific Land Use Allocations

- Development Management Policies
- Policies Map

- 4.6 As a unitary authority, North Lincolnshire Council is also a Minerals and Waste Planning Authority. This means it is responsible for preparing planning policies and determining planning applications for minerals and waste development. The new Local Plan will include policies for minerals and waste.
- 4.7 North Lincolnshire Council has already undertaken three periods of consultation: Initial Consultation (Regulation 18) in early 2017; Issues & Options (Regulation 18) from 29<sup>th</sup> January to 12<sup>th</sup> March 2018, and Preferred Options (Regulation 18) from 14<sup>th</sup> February to 27<sup>th</sup> March 2020. The findings of these consultations and the emerging evidence base are being utilised to develop the Publication Local Plan (Regulation 19) that is programmed for consultation in February 2021.

#### **NEIGHBOURHOOD PLANS**

- 4.8 Introduced by the Localism Act 2011, Neighbourhood Plans give communities the opportunity to develop a plan that allows them to deliver sustainable development they want and need in their neighbourhood.
- 4.9 However, these plans must be in general conformity with the strategic policies set out in the Local Plan for the area. They are subject to Independent Examination and a referendum. Once adopted they become part of the development plan for North Lincolnshire and will be used to make decisions on planning applications within the area covered by the Neighbourhood Plan.

### **5. OTHER DOCUMENTS**

#### **SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS (SPGs/SPDs)**

- 5.1 North Lincolnshire Council currently has a number of adopted SPGs/SPDs. These documents can be used as a vehicle to aid in the successful delivery of development or infrastructure as well as to expand on policies set out in the development plan. They do not need to be listed in a council's Local Development Scheme, which means that they can be brought forward as circumstances change.
- 5.2 At the time of writing, it is not anticipated that any additional SPDs will be prepared. However, existing adopted SPGs/SPDs will need to be reviewed in light of policy changes in the new Local Plan and through the CIL process.

#### **COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 5.3 The Community Infrastructure Levy (CIL) is a statutory charge on new development and its purpose is to help fund infrastructure needed to support new development across an area. It is a broad based strategic approach to providing infrastructure for an area and will predominantly (although not completely) replace the existing Section 106 process. CIL takes the form of a monetary charge per square metre of chargeable floorspace. Work is ongoing in terms of preparing a CIL Charging Schedule.

#### **STATEMENT OF COMMUNITY INVOLVEMENT (SCI)**

- 5.4 The Statement of Community Involvement (SCI) sets out how the council will involve the community and stakeholders in preparing its Local Plan and when considering planning applications. It also sets out the levels of consultation that developers will be encouraged to undertake, before submitting an application, particularly those involving major or controversial proposals.
- 5.5 The council's first SCI was adopted in April 2006. A review was undertaken in 2010 following changes to the planning system with a revised version being adopted in July 2010. A further review has been undertaken due to changes in legislation regarding consultation requirements, which was adopted in August 2018. North Lincolnshire Council will continue to monitor the SCI to ensure it is in conformity with legislation and is effective.

#### **AUTHORITY MONITORING REPORT (AMR)**

- 5.6 The council will prepare an Authority Monitoring Report (AMR). This should contain information on the production of the council's Development Plan Documents and assess the extent to which the development plan objectives and policies are being achieved. The AMR is published on the council website: [www.northlincs.gov.uk](http://www.northlincs.gov.uk).

#### **EVIDENCE BASE**

- 5.7 The National Planning Policy Framework states that Local Plans should be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the plan area. Therefore, the new Local Plan will be supported by a wide range of information including background studies, research, surveys and public/stakeholder consultation feedback. The work to prepare these will be undertaken by the council, and where required, by external consultants. Other work may be undertaken in partnership with external bodies.

5.8 As part of the Duty to Co-operate and dealing with cross-boundary or sub-regional issues the council will work closely with its neighbouring local authorities and stakeholders. These include Local Enterprise Partnerships and Government bodies (e.g. Environment Agency, Historic England, and Natural England).

**SUSTAINABILITY APPRAISAL (SA)/STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)/HABITAT REGULATIONS ASSESSMENT (HRA)**

5.9 All policies and proposals contained within the new Local Plan will be subject to a Sustainability Appraisal and also a Strategic Environmental Assessment and Habitat Regulations Assessment where appropriate. This involves scoping reports and assessments throughout the preparation of the Local Plan to ensure an iterative approach.

**6. RISK ASSESSMENT**

6.1 The timetable for preparing policy documents set out in this LDS is based on several assumptions. There are uncertainties about these factors that should be recognised as they could lead to revisions to the programme.

6.2 Project management identifies the risks and sets out a number of mitigation measures (see Table 1, below) that can be put in place to monitor and manage them throughout the preparation of the plan; this has been reflected in the new Local Plan’s project management arrangements. This approach recognises the need to manage the requirements for efficiency and progress the plan in line with the government’s clear priority to seek comprehensive Local Plan coverage across the country.

6.3 The council will monitor all potential risks to the Local Plan process. Where necessary, the timetable for the preparation of the new Local Plan will be amended or updated via review of the LDS. Progress in meeting the milestones set out in the LDS will be assessed via the Authority Monitoring Report (AMR) (see section 7).

Table 1: Risk Assessment		
	Risk	Mitigation
<b>Staffing Resources</b>	Resources may be required to facilitate the delivery of major projects in North Lincolnshire.	Work programmes will be kept under regular review.
	The Localism Act 2011 gives powers to Town and Parish Councils to prepare Neighbourhood Plans and the council has a duty to assist with the preparation of these. A number are already under preparation in the area with potential for further interest.	Where appropriate resources will be drawn from other parts of the Economy & Growth service and the wider Business Development Directorate.
	Further Government spending cuts may have implications for staffing resources	As above.
<b>Risk Level: Medium</b>		
<b>Duty to Cooperate (joint working and wider stakeholder resources)</b>	The council is required to engage constructively, actively and on an on-going basis with all stakeholders with an interest in the plan, including statutory stakeholders who also will be at risk of needing to find resource savings.	Ongoing engagement with key stakeholders and Duty to Co-operate bodies will take place. This will ensure time scales for their involvement are identified at an early stage, including when responses/input will be necessary.
<b>Risk Level: Medium</b>		
<b>Planning Inspectorate resources and Examination</b>	The Local Plan will be subject to Examination by an independent Planning Inspector.  Programming of public examinations depends on the availability of Inspectors.	Comparative Local Plan hearings are monitored to identify issues causing additional work. Where required, further work may be undertaken to avoid delays.  Recent experience of examinations hearings will be drawn upon.

	<p>The Planning Inspector may require modifications or more work to be undertaken during the examination to make the plan “sound” and/or legally compliant.</p> <p><b>Risk Level: High</b></p>	
<b>Inability for the Planning Inspectorate to deliver hearings and reports on time</b>	<p>This would affect the Examination and adoption of the Local Plan.</p> <p><b>Risk Level: High</b></p>	<p>No contingency as the Planning Inspectorate is the sole body able to undertake this process.</p>
<b>Potential changes to national planning system through the Planning for the Future White Paper</b>	<p>Through the White Paper the Government may bring forward a major overhaul of the local plans system requiring compliance with new legislation. The local plan may have to be taken forward differently.</p> <p>Depending on the timing of the enactment of legislation (and court decisions arising from such changes) proposed changes and/or modifications to the plan may be required.</p> <p><b>Risk Level: High</b></p>	<p>Changes in Government policy as well as good practice are monitored on an ongoing basis by officers to identify any likely changes/effects on the Local Plan. Where appropriate early work will be undertaken to meet any emerging policy or good practice.</p> <p>An assessment will be undertaken as soon as practicable to identify any revisions that may be necessary to the Local Plan.</p>
<b>Covid-19 Pandemic</b>	<p>The Covid-19 pandemic has affected local plan preparation due to social distancing measures impacting on the ability of people congregating together at consultation events or examinations in public.</p> <p><b>Risk Level: High</b></p>	<p>The council will utilize appropriate consultation methods including virtual exhibitions, digital consultations, video conferencing, social media and providing documents for inspection on a public website.</p>
<b>Devolution and sub-regional spatial planning</b>	<p>The Government’s devolution of power from Whitehall to local areas may result in further powers being devolved including planning powers which require resources and governance arrangements in place.</p> <p><b>Risk Level: Medium</b></p>	<p>The council will continue to be closely integrated into and contribute to any strategies that emerge at the Humber and Greater Lincolnshire levels.</p> <p>Changes resulting from the devolution of planning powers may require changes in local strategy.</p>
<b>Response to consultations</b>	<p>An unprecedented high response to a consultation about a particular issue(s) may require further evidence base and/or redrafting of the plan that was not previously envisaged.</p> <p><b>Risk Levels: High</b></p>	<p>Issues arising from consultation responses will be identified and where necessary plans for additional work will be drawn (if needed).</p>
<b>Legal challenge</b>	<p>Before adoption of the Local Plan, there is a period of six weeks for any legal challenge to be made.</p> <p>If the Local Plan is subject to such a challenge, the decision of the Courts could result in part or the entire plan being quashed and significant delay to having an adopted Local Plan in place.</p> <p><b>Risk Levels: Low</b></p>	<p>Legal advice will be sought at key points throughout the Local Plan process.</p> <p>Soundness and Legal Self-Assessments (using Planning Advisory Service templates) will be undertaken to ensure that the preparation of the new Local Plan is legally compliant.</p>

**Potential change arising from advice and best practice**

The Local Plan process is reviewed against best practice and outcomes of plans elsewhere. This may result in additional evidence base matters and, depending on the scale of the work, impact on the timetable.

Any additional work that is likely to delay the Local Plan timetable will be scrutinised for relevance and legal advice sought if needed.

Progress will be monitored via the Authority Monitoring Report (AMR).

**Risk Levels: Medium**

## 7. MONITORING & REVIEW

- 7.1 It is vital that timely progress is made with the new Local Plan for North Lincolnshire, therefore monitoring will play an important role.
- 7.2 The council will prepare an Authority Monitoring Report (AMR) regularly. This should contain information on the production of the council's Development Plan Documents and assess the extent to which the development plan objectives and policies are being achieved. The AMR will:
- track how the council is performing against the timescales set out in the LDS, and measure the progress being made in respect of the documents being prepared;
  - review the effectiveness of the adopted planning policies;
  - monitor the extent to which policies and targets in adopted documents are being achieved against key Government and local indicators;
  - provide an up-to-date list of documents, in preparation and adopted, and indicate the timetable for future reviews of those documents.
- 7.3 It is anticipated that all monitoring information and progress reports will be published on the council's website as soon as practical. Any delays or revisions to the council's programme of work will be highlighted in the Authority Monitoring Report and reflected in any future review of this LDS.

## 8 PROJECT MANAGEMENT AND RESOURCES

- 8.1 The new Local Plan and its preparation will be led and co-ordinated by the council's Place Planning & Housing Team. They will be supported by other staff within the council's Economy & Growth function. It is expected that contributions will also be required from members of other services.
- 8.2 The Local Plan will be prepared on a project basis with a team of officers led by the Place Planning Specialist and Housing Specialist. Consultation arrangements, as defined in the adopted Statement of Community Involvement 2018, will be co-ordinated by the team using other resources of the council as appropriate.

## 9. FURTHER INFORMATION

- 9.1 You can find full information about North Lincolnshire's planning policies, and latest information on the new Local Plan, on the council's web site: [www.northlincs.gov.uk](http://www.northlincs.gov.uk)

- 9.2 Alternatively, please contact:

Place Planning  
Economy & Growth  
Business Development  
North Lincolnshire Council  
Church Square House  
High Street  
Scunthorpe  
DN15 6NL

Tel: 01724 297573

E-mail: [localplan@northlincs.gov.uk](mailto:localplan@northlincs.gov.uk)

## APPENDIX 1: NORTH LINCOLNSHIRE LOCAL PLAN (2020 to 2038) - DOCUMENTS TO BE PREPARED

North Lincolnshire Local Plan (2020 to 2038)			
<b>Subject &amp; Scope:</b> This document sets out North Lincolnshire Council's spatial vision, objectives and strategy for the growth and development of its area. It includes a range of Strategic Development Policies, Site Specific Land Allocations, Development Management Policies and a Local Plan Policies Map.			
<b>Plan Period</b>	2020 to 2038	<b>Status</b>	Development Plan Document
<b>Chain of Conformity</b>	National Planning Policy Framework National Planning Practice Guidance Relevant Council Plans and Strategies	<b>Geographic Coverage</b>	North Lincolnshire (whole administrative area)
<b>Replaces</b>	North Lincolnshire Local Development Framework – Core Strategy DPD (June 2011); North Lincolnshire Local Development Framework - Housing & Employment Land Allocations DPD (March 2016) North Lincolnshire Local Development Framework - Lincolnshire Lakes Area Action Plan (May 2016) North Lincolnshire Local Plan – Saved Policies (May 2003)		
<b>Organisational Lead</b>	Place Planning & Housing	<b>Political Lead</b>	Cabinet Member for Environment & Strategic Planning; Full Council (Adoption only)
<b>Internal Resources</b>	Place Planning & Housing supported by relevant staff from the council's Economy & Growth function and other services.	<b>External Resources</b>	Other support will be required from a range of stakeholders, in particular those with responsibility for infrastructure delivery.
Production Timetable			
Commence Preparation of Local Plan			December 2016
Development of Evidence Base and Initial Public/Stakeholder Awareness Raising - Complete			February/March 2017
Preparation and Consultation on Sustainability Appraisal – Scoping Report (5 weeks) - Complete			March 2017
Analysis of Evidence Base, Initial Public/Stakeholder Consultation & Sustainability Appraisal – Scoping Report. - Complete			March/April 2017
Preparation of Issues & Options Consultation Document - Complete			May to August 2017
Issues & Options - Public and Stakeholder Consultation (6 weeks) (Regulation 18) - Complete			January/February 2018
Consideration and Analysis of Comments received on Issues & Options Consultation Document - complete			March to December 2018
Preparation of Preferred Options Consultation Document - complete			January to September 2019
Preferred Options Document – Public & Stakeholder Consultation (6 weeks) (Regulation 18) - complete			February to March 2020
Consideration/Analysis of Comments received on Preferred Options Document - complete			April to May 2020
Preparation of Pre-Submission Draft version of the Local Plan - complete			June to December 2020
Publication & Formal Public/Stakeholder Consultation on Draft Local Plan (6 weeks) (Regulation 19)			May/June 2021
Consideration of representations and any Minor Modifications (if required)			July to September 2021
Submission to the Secretary of State (Planning Inspectorate) for independent examination			October 2021
Preparation of evidence for Independent Examination			November 2021 to January 2022
Independent Examination Hearing Sessions			February/March 2022
Receipt of Inspector's Report			April 2022
Consideration of Inspector' Report and preparation of Local Plan – Adoption Draft			May 2022
Consideration by Full Council and Formal Adoption			July 2022
<b>Monitoring &amp; Review Process</b>			Authority Monitoring Report

<b>Community Infrastructure Levy</b>			
<b>Subject &amp; Scope:</b> This document will set out the charges to be levied on new development in North Lincolnshire			
<b>Plan Period</b>	-	<b>Status</b>	Charging Schedule
<b>Chain of Conformity</b>	National Planning Policy Framework National Planning Practice Guidance Community Infrastructure Levy Regulations & Guidance	<b>Geographic Coverage</b>	North Lincolnshire (whole administrative area)
<b>Replaces</b>	-		
<b>Organisational Lead</b>	Place & Housing Planning	<b>Political Lead</b>	Cabinet Member for Environment & Strategic Planning; Full Council (Adoption only)
<b>Internal Resources</b>	Place Planning supported by relevant staff from the council's Economy & Growth function and other services.	<b>External Resources</b>	Other support will be required from a range of stakeholders, in particular those with responsibility for infrastructure delivery.
<b>Production Timetable</b>			
Evidence Gathering/Testing/Informal Engagement/Consultation			September 2020
Preparation of Preliminary Draft Charging Schedule			September – December 2020
Preliminary Draft Charging Schedule Consultation (CIL Regulation 15)			January 2021
Analysis of representations			January/February 2021
Preparation of Draft Charging Schedule			March/April 2021
Draft Charging Schedule Consultation (CIL Regulation 16)			May 2021
Consideration of any Minor Modifications (if required)			May 2021
Submission for Independent Examination (CIL Regulation 19)			August 2021
Preparation of Evidence for Independent Examination			September 2021
Independent Examination Hearing Sessions			November 2021
Receipt of Examiner's Report			December 2021
Consideration by Full Council			January 2022
Adoption			January 2022
<b>Monitoring &amp; Review Process</b>			Authority Monitoring Report
<b>Note:</b> The timescale for the Community Infrastructure Levy will be kept under review due to potential changes at the national level regarding developer contributions.			

<b>Statement of Community Involvement</b>			
<b>Subject &amp; Scope:</b> This document sets out the standards and approach to involving stakeholders and the community in the production of the Local Plan. It also includes standards for community involvement in planning applications, in particular those that are considered major applications.			
<b>Plan Period</b>	-	<b>Status</b>	Development Plan Document
<b>Chain of Conformity</b>	Required under the Planning and Compulsory Act 2004 (as amended)	<b>Geographic Coverage</b>	North Lincolnshire (whole administrative area)
<b>Organisational Lead</b>	Place Planning	<b>Political Lead</b>	Cabinet Member for Environment & Strategic Planning; Full Council (Adoption only)
<b>Internal Resources</b>	Place Planning supported by relevant staff from the council's Economy & Growth function and other services.	<b>External Resources</b>	Other support will be required from a range of stakeholders, in particular those with responsibility for infrastructure delivery.
<b>Production Timetable</b>			
Preparation of Draft SCI Document			April 2017
Public and Stakeholder consultation on Draft SCI Document (4 weeks)			January/February 2018
Consideration of representations and preparation of final document			February 2018
Adoption of Final SCI			August 2018
<b>Monitoring &amp; Review Process</b>			Authority Monitoring Report



## NORTH LINCOLNSHIRE COUNCIL

### ENVIRONMENT AND STRATEGIC PLANNING CABINET MEMBER

6 April 2021

- 6 **NORTH LINCOLNSHIRE LOCAL DEVELOPMENT SCHEME REVISED FEBRUARY 2021** – The Director: Business Development submitted a report seeking approval for the timetable set out in the revision of the Local Development Scheme (February 2021).

Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended), required the council to prepare a timetable, formally known as the Local Development Scheme (LDS), setting the documents that would make up the Local Plan and the key dates (or milestones) for its preparation. These included public consultation periods, submission to the Government for independent examination, the examination itself and adoption. The LDS also covered the preparation of the Community Infrastructure Levy and Statement of Community Involvement. The LDS was included as Appendix 1 to the report.

The LDS must be made publicly available and kept up to date. Progress in meeting these key dates would be assessed in the Authority Monitoring Report, which was produced annually.

The documents that the LDS stated would be produced were:

- North Lincolnshire Local Plan (2017 to 2038)
- Community Infrastructure Levy (CIL); and
- Statement of Community Involvement (SCI).

The council was seeking to develop a new Local Plan covering the period 2017 to 2038. The Government was clear in the recently published National Planning Policy Framework, Housing White Paper and Written Ministerial Statement that local planning authorities should bring forward up to date local plans without delay. Without an up to date local plan the council would not be able to defend controversial planning applications and maintain a five year land supply of housing sites. Bringing forward the new plan would assist in delivering a five year land supply for North Lincolnshire.

The main amendments to the existing LDS were approved in March 2016 and November 2017, the Statement of Community involvement had been adopted and therefore the LDS required amendment to reflect this situation.

**Resolved** – (a) That the proposal to bring the timetable for the revised Local Development Scheme (February 2021) into effect from the date of decision be approved, and (b) that the Local Development Scheme be published on the council's website.